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United States Department of State

Washington, D.C. 20520

RELEASED IN FULL

24 May 1994

ACTION MEMORANDUM

TO: S/RPP - Craig Johnstone

FROM: AF - George Moose

SUBJECT: Funds for UN Human Rights Monitoring in Rwanda

RQ14A

ISSUE

Whether to make Department funds available now for a voluntary U.S. contribution to the cost of a UN human rights investigation in Rwanda.

SUMMARY

The UN Human Rights Commission (HRC) is beginning an investigation of human rights violations in Rwanda. The investigation is important to the U.S. for humanitarian reasons and as part of our efforts to end the Rwandan conflict. Time is of the essence for the investigation; if possible, it should not wait for the deployment of the expanded UNAMIR. A voluntary U.S. contribution toward the cost of the investigation would be an important gesture of support and would provide momentum. A contribution of up to \$500,000 now would not significantly affect our ability to pay our regular assessed contribution for UNAMIR II. IO should be the primary source of a U.S. contribution. A likely source is IO's appropriation for voluntary contributions to international organizations.

DISCUSSION

The UN Human Rights Commission (HRC) is meeting in special session for only the third time in its 50 year history on May 24-25 to consider the human rights situation in Rwanda. We expect the HRC to call for the appointment of a Special Rapporteur and human rights monitors, with a mandate to investigate and document violations of international humanitarian law in connection with the ethnic killings in Rwanda. The purposes of this investigation are to publicize the violations and to provide the basis for eventual judicial proceedings against individual perpetrators. The Rapporteur is to prepare an initial report for the Commission within four weeks of appointment. In addition, Security Council Resolution 918 calls for the UN SYG to report to the Council as soon as possible on violations of international humanitarian law in Rwanda. The SYG will probably look to the HRC Rapporteur to provide him with this report.

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Aside from the humanitarian benefits of such an investigation, the U.S. supports the appointment of a Special Rapporteur out of a belief that the establishment of an impartial mechanism for a human rights investigation could be an important factor in convincing the warring Rwandan factions to agree to a cease-fire (both sides have requested an investigation). A prompt investigation also has a better chance of preserving what evidence there may be of the reported violations, and of identifying those responsible.

The fact that the U.S. and the other members of the HRC may declare that genocide has occurred in Rwanda is another reason why the conduct of a timely human rights investigation is important, as we will certainly be asked for evidence to support this assertion.

Because of the need for a rapid investigation, AF believes that the Rapporteur and monitors should go to Rwanda as soon as possible, to begin work in whatever areas of the country are open to them, and that the U.S. should make a voluntary contribution, as a gesture of support for the HRC's action, to ensure that the investigation can begin now, and to encourage other countries to respond in similar fashion. The notional figure for a U.S. contribution is \$500,000, which is the amount we gave for human rights monitoring operations in Iraq and Yugoslavia. The total budget for the Rapporteur and monitors is not yet known, but making this voluntary contribution would not obligate the U.S. to any further payments. The HRC often must rely on voluntary contributions to pay for extraordinary expenses, particularly if time is of the essence.

AF recognizes that consideration must be given to the question of whether to designate money for human rights monitoring now when it is not yet certain what our total obligation will be for the expanded UNAMIR, or how we will finance it within the USG. However, the total U.S. assessment for UNAMIR II is expected to be over \$30 million, based on an estimated UNAMIR budget of \$115 million over six months. Obligating \$500,000 now for the HRC is not likely to have a significant impact on our ability to locate resources for UNAMIR.

It must also be acknowledged that, while the HRC need not wait for the deployment of UNAMIR II, as a practical matter the ability of the HRC representatives to work effectively throughout Rwanda could depend on whether UNAMIR can provide for their security. Nonetheless, it may be possible for the HRC, with the consent of the Rwandan parties, to gain access now to areas of the country which are relatively stable. A U.S. contribution now will help ensure that the HRC investigators will be able to take advantage of opportunities to begin their work immediately.

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AF believes that IO should be the primary source of funds for a contribution to the HRC. IO is the bureau responsible for coordinating U.S. participation in, and funding for, the UN and its subsidiary organizations such as the HRC. As one possible source, IO has an appropriation for voluntary contributions to international organizations (such as UNDP, UNICEF, and the IAEA). According to IO/S, this appropriation can probably provide up to \$500,000 from funds withheld under law providing that contributions to international organizations be withheld in a percentage equal to the percentage of the organization's programs conducted in certain countries (e.g. Cuba, Libya). These 'fallout' funds could be made available within a minimum of 2 months, including a 15 day Congressional notification period. IO may have other monies available in its international organization accounts.

Potential sources of funds elsewhere have been explored without much success. DRL has no funds to contribute. AF has identified a possible source; however, it is money already committed to another purpose which is high on AF's list of priorities. Several possible sources within USAID have not borne fruit. Even where funds might be available from AID (e.g. Rwanda bilateral Democracy/Governance funds), there is insufficient time for AID to determine whether it would be possible to use them.

ACTION REQUESTED

That you agree to a voluntary contribution of up to \$500,000 now to the UN Human Rights Commission to support its investigation in Rwanda, and that you work with IO to determine the possibility of using withheld funds under the IO appropriation for contributions to international organizations, or funds from another IO source.

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